

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CBIZ, INC., <i>et al.</i> ,)	CASE NO. 1:24-cv-01027
)	
Plaintiffs,)	JUDGE J. PHILIP CALABRESE
)	
v.)	MAGISTRATE JUDGE JONATHAN D.
)	GREENBERG
GREGORY J. CRYAN, <i>et al.</i> ,)	
)	PLAINTIFFS' MEMORANDUM IN
Defendants.)	SUPPORT OF MOTION TO WITHDRAW
)	DECLARATIONS OF MARK LANTERMAN

Mark Lanterman and his Company, Computer Forensic Services, were originally retained by CBIZ in April 2024 to examine William Haynes' laptop. Once litigation was commenced, Computer Forensics Services reviewed Steven Fischer's laptop and USB drive. Mr. Lanterman provided two declarations summarizing his findings: ECF No. 18-1 and ECF No. 86-60.

On Sunday, March 9, 2025, an attorney named Sean Harrington emailed counsel for Plaintiffs and Defendants alleging that Mark Lanterman had misrepresented his credentials in declarations to this Court and other courts. (Harrington's email and supporting documents are attached as Exhibit 1.). In particular, Harrington alleged that Lanterman had not graduated from Upsala College¹ with degrees in computer science despite Lanterman's extensive experience as an expert nationally and his work with law enforcement and the Secret Service. (Lanterman's CV is attached as Exhibit 2.).

Counsel for Plaintiffs immediately began investigating these allegations. In that regard, counsel called Lanterman on Monday, March 10. During that call, Lanterman denied Harrington's allegations and assured counsel that he had graduated from Upsala College with an undergraduate

¹ Upsala College closed in 1995.

degree and a graduate degree in computer science. Plaintiffs' counsel then engaged a private investigation firm to investigate Harrington's allegations.

Plaintiffs' counsel received a second email from Harrington on March 15, 2025 which contained similar allegations. (Exhibit 3). The private investigation firm retained by Plaintiffs' counsel was ultimately unable to verify that Lanterman attended Upsala College. The firm attempted to obtain transcripts from the now closed Upsala College but was unsuccessful. The firm also viewed yearbooks and graduation programs from Upsala College but was unable to locate any record of Lanterman. The firm also reported that Lanterman is being investigated by the FBI, which various media sources have also recently reported. See, e.g., <https://www.msn.com/en-us/news/us/fbi-investigating-minnesota-cybersecurity-expert-over-concerns-about-his-background-hennepin-co-atty-says/ar-AA1BSxnB?ocid=BingNewsSerp>; <https://kstp.com/kstp-news/top-news/twin-cities-computer-forensics-expert-now-under-fbi-investigation/>. Lanterman has now taken a leave from his position at Computer Forensic Services.

In light of these developments, Plaintiffs no longer intend to rely on Lanterman's prior testimony and move to withdraw the declarations of Mark Lanterman, ECF No. 18-1 and ECF No. 86-60. The withdrawal of these declarations does not affect Plaintiffs' case. Lanterman's first declaration, ECF No. 18-1, solely concerns Defendant Haynes. Lanterman stated that:

- Haynes uploaded approximately 33,887 files and folders from his CBIZ-issued laptop and CBIZ's file server to his Dropbox account on April 16, 2024. (ECF No. 18-1, PageID# 626-628, ¶¶ 22-33.)
- Haynes emailed login passwords to a personal email account on the same day. (Id., PageID# 629, ¶ 37.)

Haynes admitted to uploading files to his DropBox account under oath at the TRO hearing:

So I created the Dropbox in October of 2022 and started putting files in it and I just essentially started whatever was in the -- most recently, in the beginning of April 2024, I took my documents tab, saved them on my laptop and dragged and dropped it over to Dropbox.

(TRO Hearing Transcript, ECF No. 28, PageID # 960-62.)

Haynes also admitted to extracting his passwords and sending them to his personal email address:

So I found myself -- I really needed to separate these two. So I went into Google Chrome, extracted all the passwords, printed it to Excel and sent it to my personal e-mail address, didn't think any of it.

(TRO Hearing Transcript, ECF No. 28, PageID # 963.)

Thus, the withdrawal of Lanterman's first declaration has no effect on the Temporary Restraining Order or Plaintiffs' case.

On December 16, 2024, Lanterman executed a second declaration stating that Defendant Fischer attached a USB drive to his CBIZ-issued laptop on June 2 and 3, 2024. ECF No. 86-60. According to his Declaration, Lanterman was unable to determine what if anything was downloaded because he was unable to access Fischer's USB drive since Fischer claims to have forgotten the password. This issue never advanced beyond the parties' supplemental briefing and did not result in a court order.

Notwithstanding that Mr. Lanterman truthfully represented his findings in his two declarations, Plaintiffs believe that withdrawing the declarations is appropriate based on counsel's inability to verify the college and graduate credentials of Lanterman. Accordingly, Plaintiffs respectfully move this Court to permit them to withdraw the declarations of Mark Lanterman.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on April 4, 2025, a copy of *Plaintiffs' Memorandum in Support of Motion to Withdraw Declarations of Mark Lanterman* was electronically filed via the Court's CM/ECF system. Notice and a copy of this filing will be sent to counsel of record for all parties via the Court's CM/ECF system.

/s/ Lawrence D. Pollack
One of the attorneys for Plaintiffs CBIZ, Inc.,
CBIZ Benefits & Insurance Services, Inc., and
CBIZ Insurance Services, Inc., and Third-
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